

**General Assembly**

Distr.: Limited
13 November 1998

Original: English

Fifty-third session

Third Committee

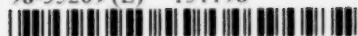
Agenda item 108

Elimination of racism and racial discrimination

**International Convention on the Elimination of Racial
Discrimination: programme budget implications of the draft
resolution contained in document A/C.3/53/L.18/Rev.1**

**Statement submitted by the Secretary-General in accordance with
rule 153 of the rules of procedure of the General Assembly**

1. In operative paragraph 10 of Part I of draft resolution A/C.3/53/L.18/Rev.1, the General Assembly would take note of decisions 7 (53) and 8 (53) of the Committee on the Elimination of Racial Discrimination regarding organizational matters, would authorize the Secretary-General to extend, on a temporary basis, the Committee's summer sessions in 1999 and 2000 for five working days, and would decide to further consider the two decisions at its fifty-fifth session.
2. The draft resolution is related to programme 19, Human rights, subprogramme 2, Supporting human rights organs and bodies, of the medium-term plan for the period 1998–2001. Related activities are reflected in paragraph 22.48, subparagraphs (i)–(iii), of section 22, Human rights, of the programme budget for the biennium 1998–1999.
3. The extension of the summer sessions of the Committee on the Elimination of Racial Discrimination would require full meeting servicing and interpretation in five United Nations official languages during five working days, with two meetings a day, or an additional 10 meetings per year. Provisions would also be required to cover the cost of the daily subsistence allowance of the 18 members of the Committee for a period of seven days annually.
4. The programme of work included under section 22, Human rights, of the programme budget for the biennium 1998–1999 would be modified as follows:



Subprogramme 2. Supporting human rights bodies and organs

Activities

(a) Servicing of intergovernmental and expert bodies

(i) Substantive servicing of meetings: Committee on the Elimination of Racial Discrimination. One hundred and thirty meetings (60 in 1998 and 70 in 1999)

5. The additional costs entailed by the extension of the summer session of the Committee in 1999 would be as follows:

*United States dollars**Section 22. Human rights*

Subsistence allowances for 18 members of the Committee	33 200
--	--------

Section 1B. Conference services

Meeting servicing and interpretation	48 400
--------------------------------------	--------

Pre-session documentation	48 600
---------------------------	--------

Summary records	83 700
-----------------	--------

Post-session documentation	9 500
----------------------------	-------

Other requirements	6 800
--------------------	-------

Total section 1B	197 000
-------------------------	----------------

6. The above estimates for conference-servicing are based on the theoretical assumption that no part of these requirements would be met from within the permanent conference-servicing capacity included under section 1B, General Assembly Affairs and Conference Services, of the programme budget for the biennium 1998–1999. The extent to which the Organization's permanent conference-servicing capacity would need to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences and meetings for 1998–1999. Provision has, however, been made under section 1B of the programme budget for the biennium 1998–1999 not only for meetings programmed at the time of budget preparations but also for meetings which might be authorized subsequently, provided that the number and distribution of meetings and conferences are consistent with the pattern of meetings of past years. As a result, no additional appropriation would be required under section 1B of the programme budget.

7. No resources have been included under section 22, Human rights, of the programme budget for the biennium 1998–1999 to cover the additional requirements of \$33,200 for the subsistence allowance of the 18 members of the Committee. At this stage, it is not anticipated that these requirements could be absorbed within the provisions included under section 22 of the programme budget.

8. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the proposed programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

9. No activities could be identified, at this stage, for termination, deferral, curtailment or modification under section 22, Human rights, of the programme budget for the biennium 1998–1999 in order to accommodate the additional requirements of \$33,200 referred to above.

10. Should the General Assembly adopt draft resolution A/C.3/53/L.18/Rev.1, an additional provision of \$33,200 would be required over and above the resources approved under section 22, Human rights, of the programme budget for the biennium 1998–1999. The additional requirements for the year 2000 would be dealt with in the context of the preparation of the proposed programme budget for the biennium 2000–2001.



General Assembly

Distr.: Limited
12 November 1998

Original: English

Fifty-third session

Third Committee

Agenda item 110 (b)

Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

South Africa* and China: draft resolution

Enhancement of international cooperation in the field of human rights

The General Assembly,

Recalling its resolution 52/134 of 12 December 1997 and Commission on Human Rights resolution 1998/81 of 24 April 1998 on the enhancement of international cooperation in the field of human rights,¹

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular paragraph 3 of Article 1, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,² for enhancing genuine cooperation among Member States in the field of human rights,

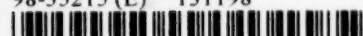
Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, and underlining the importance of the promotion of dialogue on human rights issues,

* On behalf of States Members of the United Nations that are members of the Non-Aligned Movement

¹ *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23), chap. II, sect. A*

² A/CONF.157/24 (Part I), chap. III



*Taking note with appreciation of the adoption of resolution 1998/28 of 26 August 1998, entitled "Promotion of dialogue on human rights issues", by the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights at its fiftieth session,*³

1. *Recalls* the statement made by the Chairman of the Commission on Human Rights at the 70th meeting of its fifty-third session, on 18 April 1997;⁴
2. *Calls upon* Member States, intergovernmental organizations and the specialized agencies to continue to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;
3. *Invites* States and all relevant United Nations human rights mechanisms and procedures to pay continued attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;
4. *Decides* to continue the consideration of this question at its fifty-fourth session.

³ E/CN.4/1999/2-E/CN.4/Sub.2/1998/_ chap. II, sect. A

⁴ *Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. III, para. 34.*



General Assembly

Distr.: Limited
13 November 1998

Original: English

Fifty-third session

Third Committee

Agenda item 110 (b)

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

South Africa* and China: draft resolution

Right to development

The General Assembly,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the right to development, including its resolution 52/136 of 12 December 1997 and Commission on Human Rights resolution 1998/72 of 22 April 1998,¹

Emphasizing that the promotion, protection and realization of the right to development is an integral part of the promotion and protection of all human rights,

Recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Expressing its concern that, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights,² the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

Reaffirming the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

* On behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

¹ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23-E/CN.4/1998/177), chap. II, sect. A.

² Resolution 217 A (III).



Recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,³ and taking note of the deliberations of the General Assembly at its nineteenth special session,

Noting with concern that, in this regard, while a number of positive results have been achieved, the overall trends with respect to sustainable development are worse today than they were in 1992,

Mindful that the Commission on Human Rights continues to consider this matter and, by its resolution 1998/72, established a follow-up mechanism, initially for a period of three years,

Noting the need for improved coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including in seeking enhanced support from the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing that the implementation of the Declaration on the Right to Development⁴ requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

Reaffirming the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Expressing its concern that, more than ten years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels, that new obstacles to the rights stated therein have emerged, including, *inter alia*, the negative effects of globalization on the right to development, particularly in developing countries, and that the progress made in removing these obstacles remains precarious and transient,

Expressing also its concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the report by the Secretary-General on the right to development,⁵ prepared in pursuant to General Assembly resolution 52/136,

1. *Takes note* of the report of the Secretary General on the right to development;⁵

³ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution I, annex I.

⁴ Resolution 41/128, annex.

⁵ A/53/268.

2. *Reaffirms* the importance of the right to development, as established in the Declaration on the Right to Development,⁴ for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. *Recognizes* that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights² and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,⁶ through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. *Reiterates* the importance of the Vienna Declaration and Programme for Action, which reaffirms the right to development, as established by the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights;

5. *Reaffirms* that democracy, development and respect for all human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing and, in this context, affirms that:

(a) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks the rekindling of non-democratic forces and that structural reforms that do not take social realities into account could destabilize the processes of democratization;

(b) Effective popular participation is an essential component of successful and lasting development;

(c) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social- and people-centred sustainable development;

(d) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

6. *Reaffirms also* that democracy, development and respect for all human rights and fundamental freedoms would be strengthened by enhanced international cooperation for development;

7. *Reiterates* that the existence of widespread poverty, in particular extreme poverty, inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

8. *Emphasizes* that the serious problem of the foreign debt burden remains one of the most critical factors adversely affecting economic, social, scientific and technical development and living standards in many developing countries, with serious effects of a social nature;

9. *Reiterates* the request of the Commission on Human Rights to the United Nations High Commissioner for Human Rights to pay particular attention to the problem of the debt burden of developing countries, in particular the least developed countries, and especially the social impact of the measures arising from the foreign debt;

⁶ A/CONF.157/24 (Part I), chap. III.

10. *Expresses* its concern that official development assistance has fallen for five consecutive years, from 0.33 per cent in 1992 to 0.22 per cent in 1997, its lowest level ever, with serious consequences for the realization of the right to development in developing countries, and urges the developed countries to reverse this trend in accordance with the commitment undertaken to fulfil as soon as possible the agreed United Nations target of 0.7 per cent of their gross national product for overall official development assistance;

11. *Calls upon* the developed countries to mobilize further resources for development assistance in a spirit of cooperation and solidarity;

12. *Affirms* the need to apply a gender perspective in the implementation of the right to development, *inter alia*, by ensuring that women play an active role in the development process, and *emphasizes* that the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development;

13. *Expresses its concern* that, while developing countries constitute the majority of the membership of the international economic, monetary and financial institutions which form an integral part of the decision-making process at the global level on macroeconomic policy issues, their institutionalized lack of participation therein has far-reaching impacts on the world economy, often with negative implications for the exercise of the right to development in developing countries;

14. *Expresses also its concern* that the volatility of short-term capital flows and the weaknesses of the international financial system can have negative consequences on the realization of the right to development;

15. *Notes* the negative effects of the current international financial crisis on the full enjoyment of the economic, social and cultural rights of the peoples of affected countries, in particular the right to food, health, education and work;

16. *Welcomes* the intention of the Secretary-General to give high priority to the right to development and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

17. *Notes* that measures taken for the promotion and realization of the right to development should be more effective, and calls upon the United Nations High Commissioner for Human Rights to explore further ways and means to achieve this objective;

18. *Requests* the Secretary-General to inform the Commission on Human Rights at its fifty-fifth session and the General Assembly at its fifty-fourth session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

19. *Affirms* that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest, and therefore that such cooperation be strengthened in order to support the efforts of developing countries to solve their social and economic problems and to fulfil their obligations to promote and protect all human rights;

20. *Calls upon* the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation;

21. *Recognizes* that the fiftieth anniversary of the Universal Declaration of Human Rights provides an important opportunity to place all human rights at the top of the human rights agenda, and in this context, the right to development in particular;

22. *Decides*, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, to include the Declaration on the Right to Development in the International Bill of Human Rights;

23. *Calls upon* the Secretary-General to take the necessary measures in this regard, *inter alia*, through the publication of the modified International Bill of Human Rights and to ensure the widespread dissemination thereof;

24. *Urges* States to give consideration to the preparation of a convention on the right to development as one of the important steps towards the effective realization of the right to development;

25. *Encourages* all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

26. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session;

27. *Decides* to consider this question at its fifty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".



General Assembly

Distr.
LIMITED

A/C.3/53/L.58/Rev.1
23 November 1998

ORIGINAL: ENGLISH

Fifty-third session
THIRD COMMITTEE
Agenda item 110 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

South Africa* and China: revised draft resolution

Right to development

The General Assembly,

Recalling all its previous resolutions and those of the Commission on Human Rights relating to the right to development,

Emphasizing that the promotion, protection and realization of the right to development are an integral part of the promotion and protection of all human rights at the national and international levels,

Noting that the human person is the central subject of development and that development policy should therefore make the human being the main participant and beneficiary of development,

Stressing the importance of creating an economic, political, social, cultural and legal environment that will enable people to achieve social development at the national and international levels,

Further recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and

* On behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries.



interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Expressing its concern that, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights,¹ the unacceptable situation of absolute poverty, hunger, disease, lack of adequate shelter, illiteracy and hopelessness remains the lot of over one billion people,

Reaffirming the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Mindful that the Commission on Human Rights continues to consider this matter and, by its resolution 1998/72,² established a follow-up mechanism, initially for a period of three years,

Noting the need for coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including through enhanced cooperation with the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing that the implementation of the Declaration on the Right to Development³ requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

Emphasizing that full respect for all human rights and the fundamental freedoms is necessary for lasting progress towards the realization of the right to development,

Reaffirming the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion of the Declaration on the Right to Development,

¹ Resolution 217 A (III).

² See Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23-E/CN.4/1998/177), chap. II, sect. A.

³ Resolution 41/128, annex.

Expressing its concern that, more than ten years after the adoption of the Declaration on the Right to Development, and while noting that new challenges and opportunities for development have emerged in an increasingly globalized world, obstacles to the realization of the right to development still persist at both the national and international levels, that new obstacles to the rights stated therein have emerged, and that the progress made in removing these obstacles remains precarious,

Expressing also its concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the report by the Secretary-General on the right to development⁴ prepared pursuant to General Assembly resolution 52/136,

1. Takes note of the report of the Secretary General;⁴
2. Reaffirms the importance of the right to development, as established in the Declaration on the Right to Development,³ and reaffirmed in the Vienna Declaration and Programme of Action,⁵ for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;
3. Recognizes that the Declaration on the Right to Development constitutes an integral link between the Universal Declaration of Human Rights¹ and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,⁵ through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;
4. Reiterates the importance of the Vienna Declaration and Programme for Action, which reaffirms the right to development, as established by the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights;
5. Reaffirms that democracy, development and respect for all human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing and, in this context, affirms that:
 - (a) Development experiences of countries reflect differences with regard to both progress and setbacks, and that the development spectrum has a wide range, not only between countries but also within countries;

⁴ A/53/268.

⁵ A/CONF.157/24 (Part I), chap. III.

(b) A number of developing countries have experienced rapid economic growth and remain dynamic partners in the international community;

(c) The gap between developed and developing countries remains unacceptably wide and developing countries continue to face difficulties in participating in the globalization process and may risk being marginalized and effectively excluded from its benefits;

(d) Democracy, which is spreading everywhere, has raised development expectations everywhere, that their non-fulfilment risks the rekindling of non-democratic forces and that structural reforms that do not take social realities into account could destabilize the processes of democratization;

(e) Effective popular participation is an essential component of successful and lasting development;

(f) Democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social- and people-centred sustainable development;

(g) The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened;

6. Reaffirms also that democracy, development and respect for all human rights and fundamental freedoms would be strengthened by enhanced international cooperation, in particular, for development;

7. Urges all States to eliminate all obstacles to development at all levels by pursuing the promotion and protection of economic, social, cultural, civil and political rights and by implementing comprehensive development programmes at the national level, integrating these rights into development activities and by promoting effective international cooperation;

8. Reiterates that the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile;

9. Invites the High Commissioner for Human Rights to pay particular attention to the impact of the problem of the debt burden on developing countries and their people, in particular the least developed countries, on their full enjoyment of the right to development;

10. Expresses deep concern about the overall decline in official development assistance flows, and calls upon the developed countries, in a spirit of partnership, to mobilize further resources for development assistance to support States' efforts towards the realization of the right to development with a view to fulfilling as soon as possible the commitments undertaken to meet the agreed United Nations targets;

11. Affirms the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process, and emphasizes that the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development;

12. Expresses concern on the adverse impact of the current financial crisis on the realization of the right to development and the full enjoyment of economic, social and cultural rights in affected countries, especially on the right to food, health, education and work;

13. Affirms that international cooperation is acknowledged more than ever as a necessity deriving from recognized mutual interest, and therefore that such cooperation be strengthened in order to support the efforts of developing countries to solve their social and economic problems and to fulfil their obligations to promote and protect all human rights;

14. Welcomes the intention of the Secretary-General to give high priority to the right to development and urges all States to promote further the right to development as a vital element in a balanced human rights programme;

15. Welcomes the efforts made by the High Commissioner for Human Rights towards the promotion and realization of the right to development, and invites her to explore further ways and means to achieve this objective;

16. Requests the Secretary-General to continue to inform the Commission on Human Rights and the General Assembly of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

17. Welcomes the establishment of a follow-up mechanism, initially for a three-year period, in accordance with Commission on Human Rights resolution 1998/72, consisting of an open-ended working group of the Commission and an independent expert, in order to make further progress towards the realization of the right to development;

18. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation;

19. Recognizes that the fiftieth anniversary of the Universal Declaration of Human Rights provides an important opportunity to place all human rights - and, in this context, the right to development in particular - at the top of the human rights agenda;

20. Calls upon the Secretary-General and the High Commissioner for Human Rights, as appropriate, to:

(a) Examine ways and means to provide the Declaration on the Right to Development with a profile commensurate with its importance;

/...

(b) Continue to accord priority to the right to development and providing commensurate support in terms of staff, services and resources for its programmatic follow-up;

(c) Ensure widespread dissemination and promotion of the Declaration on the Right to Development, in close cooperation with States and intergovernmental organizations, national institutions, academia and interested non-governmental organizations worldwide, through freely available booklets and publications, in a similar way to the Universal Declaration of Human Rights, workshops and seminars;

(d) Project the role and importance of the right to development as part of the overall promotion and protection of human rights;

(e) Consult regularly on a formal and informal basis with all States on the follow-up to the Declaration on the Right to Development;

(f) Welcome initiative to organize regional seminars which should focus on all aspects of the realization of the right to development;

(g) Undertake a dialogue with the World Bank with regard to the right to development, including initiatives, policies, programmes and activities that can promote the right to development, and to inform Member States on a regular basis of the progress made in such a dialogue;

(h) Invite the Independent Expert, appointed by the Chairman of the Commission on Human Rights, to include in his study on the current state of progress in the implementation of the right to development an analysis of the legal bases of the right to development, in particular, its international dimension;

(i) Involve relevant entities of the United Nations, including those contributing to the Executive Committee of Economic and Social Affairs, to promote and advocate the right to development and its realization, especially at the international level;

(j) Invite the follow-up mechanism, inter alia, to consider the question of elaborating a convention on the right to development;

21. Encourages all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, elements for the promotion and protection of the right to development;

22. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session;

23. Decides to consider this question at its fifty-fourth session under the sub-item entitled "Human rights questions, including alternative approaches to improving the effective enjoyment of human rights and fundamental freedoms".



General Assembly

Distr.: Limited
13 November 1998

Original: English

Fifty-third session

Third Committee

Agenda item 110 (c)

Human rights questions: human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Costa Rica, Czech Republic, France, Gambia, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Monaco, New Zealand, Portugal, Romania, San Marino, Slovakia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 52/137 of 12 December 1997,

Also recalling Commission on Human Rights resolutions 1992/58 of 3 March 1992,³ in which the Commission, *inter alia*, decided to nominate a special rapporteur with a given mandate, and 1998/63 of 21 April 1998,⁴ in which the Commission decided to extend for one year the mandate of its Special Rapporteur on the situation of human rights in Myanmar,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the Economic and Social Council, 1992, Supplement No. 22 (E/1992/22)*, chap. II, sect. A.

⁴ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*, chap. II, sect. A.



Gravely concerned that the Government of Myanmar still has not implemented its commitment to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Noting the contact between the Government of Myanmar and the National League for Democracy, but regretting the failure of the Government of Myanmar to engage in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups,

Noting with concern that the Government of Myanmar has not permitted a visit by the Personal Emissary of the Secretary-General,

Noting with deep regret the continued failure of the Government of Myanmar to cooperate with the Special Rapporteur,

Gravely concerned at the continuing and consistent violations of human rights in Myanmar, as reported by the Special Rapporteur,

Noting with grave concern the content of the report of the International Labour Organization Commission of Inquiry, appointed in March 1997, in accordance with article 26 of the International Labour Organization Constitution, regarding the observance by Myanmar of the Forced Labour Convention, 1930 (No. 29), which indicates a widespread and systematic use of forced labour imposed by the military on the civilian population,

Recalling the observation made by the Special Rapporteur that the absence of respect for the rights pertaining to democratic governance is at the root of all the major violations of human rights in Myanmar,

1. *Expresses its appreciation* to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar for his interim report;⁵
2. *Urges* the Government of Myanmar to cooperate fully with all United Nations authorities and bodies, in particular and without further delay with the Special Rapporteur, and to ensure his access to Myanmar, without preconditions, in order to establish direct contact with the Government and all other sectors of society to allow him fully to discharge his mandate;
3. *Also expresses its appreciation* to the Secretary-General for his report,⁶ and notes with concern the observations contained in the report;
4. *Deplores* the continuing violations of human rights in Myanmar, including extrajudicial and arbitrary executions, rape, torture, inhuman treatment, mass arrests, forced labour, forced relocation and denial of freedom of expression, assembly, association and movement, as reported by the Special Rapporteur;
5. *Notes with deep concern* the increased restrictions on the freedom of movement and the large numbers of arbitrary detentions and harassment of political activists, including elected representatives to the Parliament, and urges the Government of Myanmar to permit unrestricted communication with and physical access to Aung San Suu Kyi, as well as other political leaders, and to protect their physical well-being;
6. *Strongly urges* the Government of Myanmar to release immediately and unconditionally detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

⁵ A/53/364.

⁶ A/53/657.

7. *Urges* the Government of Myanmar to urgently expand and intensify its contacts with the National League for Democracy with a view to engaging in a substantive political dialogue with the General Secretary of the League, Aung San Suu Kyi, and other political leaders, including representatives of ethnic and other groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

8. *Strongly urges* the Government of Myanmar, taking into account its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990 and to ensure that political parties and non-governmental organizations can function freely, and in that context notes that the National League for Democracy recently established a committee to temporarily represent the Parliament;

9. *Also strongly urges* the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process, in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

10. *Further strongly urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression, association, movement and assembly, the right to a fair trial and the protection of the rights of persons belonging to ethnic and religious minorities, to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations and to enforced disappearances and summary executions, and to fulfil its obligations to end the impunity of perpetrators of human rights violations, including members of the military, and to investigate and prosecute alleged violations committed by government agents in all circumstances;

11. *Calls upon* the Government of Myanmar to implement fully the recommendations made by the Special Rapporteur;

12. *Welcomes* the accession by the Government of Myanmar to the Convention on the Elimination of All Forms of Discrimination against Women,⁷ and appeals to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights² and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment⁸ and the International Convention on the Elimination of All Forms of Racial Discrimination;⁹

13. *Strongly urges* the Government of Myanmar to fulfil its obligations with regard to the Convention on the Rights of the Child,¹⁰ as set out in the concluding comments of the Committee on the Rights of the Child;¹¹

14. *Also strongly urges* the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and to the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), of the International Labour Organization, and to implement the recommendations of the International Labour Organization Commission of Inquiry regarding the implementation

⁷ Resolution 34/180, annex.

⁸ Resolution 39/46, annex.

⁹ Resolution 2106 A (XX).

¹⁰ Resolution 44/25, annex.

¹¹ CRC/C/15/Add.69.

of the Forced Labour Convention, and encourages further communication between the Government and the International Labour Organization;

15. *Stresses* the importance for the Government of Myanmar to give particular attention to improving the conditions in the country's jails and to allow the competent international humanitarian organization to communicate freely and confidentially with prisoners;

16. *Calls upon* the Government of Myanmar and other parties to the hostilities in Myanmar to respect fully the obligations under international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949,¹² to halt the use of weapons against the civilian population, to protect all civilians, including children, women and persons belonging to ethnic or religious minorities, from violations of humanitarian law and to avail themselves of such services as may be offered by impartial humanitarian bodies;

17. *Expresses concern* that the human rights situation in Myanmar, and the lack of stability, has resulted in flows of refugees to neighbouring countries, and may cause further negative effects for these countries, and therefore calls upon the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

18. *Welcomes* the recent visits to Myanmar by the Envoy of the Secretary-General for the purpose of discussions with the Government and with Aung San Suu Kyi and other political leaders, and further encourages the Government of Myanmar to engage in a broader and more regular dialogue with the Secretary-General and to facilitate access by his representative to all sectors of society in Myanmar;

19. *Requests* the Secretary-General to continue his discussions on the situation of human rights and the restoration of democracy with the Government of Myanmar, and to submit additional reports to the General Assembly during its fifty-third session on the progress of these discussions, and to report to the Assembly at its fifty-fourth session and to the Commission on Human Rights at its fifty-fifth session on the progress made in the implementation of the present resolution;

20. *Decides* to continue its consideration of this question at its fifty-fourth session.

¹² United Nations, *Treaty Series*, vol. 75, Nos. 970-973



General Assembly

Distr.: Limited
13 November 1998

Original: English

**Fifty-third session
Third Committee**

Agenda item 110 (c)

**Human rights questions: human rights situations and reports
of special rapporteurs and representatives**

**Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina,
Bulgaria, Canada, Czech Republic, Djibouti, Finland, France, Hungary,
Israel, Italy, Japan, Jordan, Kuwait, Latvia, Lithuania, Luxembourg,
Monaco, Morocco, Netherlands, Portugal, San Marino, Slovenia, Spain,
Turkey, United Kingdom of Great Britain and Northern Ireland and
United States of America: draft resolution**

**Situation of human rights in Bosnia and Herzegovina, the
Republic of Croatia and the Federal Republic of Yugoslavia
(Serbia and Montenegro)**

The General Assembly,

Recalling all relevant resolutions on this subject, in particular Commission on Human Rights resolution 1998/79 of 22 April 1998,¹ as well as all resolutions and statements of the Security Council,

Bearing in mind General Assembly resolution 53/_____ on the situation of human rights in Kosovo, adopted on _____,

Reaffirming the obligations of all Member States under the Charter of the United Nations and the Universal Declaration of Human Rights,² the obligations of States parties under the International Covenants on Human Rights³ and all other human rights instruments and the obligation of all to respect international humanitarian law, including the Geneva Conventions of 12 August 1949 on the protection of victims of war⁴ and the Additional

¹ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/3), chap. II, sect. A.*

² Resolution 217 A (III).

³ Resolution 2200 A (XXI), annex.

⁴ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.



Protocols thereto of 1977,⁵ as well as the principles and commitments undertaken by participating States of the Organization for Security and Cooperation in Europe,

Reaffirming also the territorial integrity of all States in the region, within their internationally recognized borders,

Expressing its full support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),⁶ which, *inter alia*, committed the parties of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to respect fully human rights, and for the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (the "Basic Agreement"),⁷

Expressing its disappointment at the continuing evidence of violations of human rights and fundamental freedoms taking place to varying degrees in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and in particular the failure of the Federal Republic of Yugoslavia (Serbia and Montenegro) to follow the recommendations of the personal representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe,

Welcoming all contributions of the Office of the High Representative, the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the European Community Monitoring Mission, Governments and intergovernmental and non-governmental organizations in the former Yugoslavia in 1998,

1. *Calls* for the full and consistent implementation of the Peace Agreement and the Basic Agreement by all parties to them;
2. *Stresses* the crucial role of human rights in the successful implementation of the Peace Agreement, and underlines the obligations of the parties under the Peace Agreement to secure for all persons within their jurisdiction the highest level of international norms and standards of human rights and fundamental freedoms;
3. *Stresses also* the need to focus international human rights efforts in the region on the core issues of the lack of full respect for the human rights and fundamental freedoms of all individuals without distinction, the rule of law and effective administration of justice at all levels of government, the freedom and independence of the media, the freedom of expression, the freedom of association, including with respect to political parties, freedom of religion and the freedom of movement;
4. *Stresses further* the need for enhanced international human rights efforts to foster and effect the prompt and voluntary return of displaced persons and refugees in safety and dignity;
5. *Calls* for an immediate end to illegal and/or hidden detention by all parties, in particular the Federal Republic of Yugoslavia (Serbia and Montenegro), and requests the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to investigate any and all allegations of hidden detainees;
6. *Calls upon* all parties and States in the region to ensure that the promotion and protection of human rights and effective, functioning democratic institutions will be central

⁵ Ibid., vol. 1125, Nos. 17512 and 17513.

⁶ See *Official Records of the Security Council, Fiftieth Year; Supplement for October, November and December 1995*, document S/1995/999.

⁷ Ibid., document S/1995/951.

elements in the new civilian structures, as reaffirmed at the meetings of the Steering Board and the Peace Implementation Conference;

7. *Urgently calls upon* all States and all parties to the Peace Agreement that have not done so to meet their obligations to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia, as required by Security Council resolution 827 (1993) of 25 May 1993 and all subsequent related resolutions, including with respect to surrendering persons indicted by the International Tribunal, urges all States to cooperate fully with the Tribunal and its organs, including obligation of States to comply with requests for assistance, or orders issued by a Trial Chamber, by helping to ensure that persons indicted by the Tribunal stand trial before it, and urges the Secretary-General to support the Tribunal to the fullest extent possible;

8. *Strongly condemns* the continuing refusal of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) as well as those responsible in the Republika Srpska to comply with their obligation to arrest and transfer to the custody of the International Tribunal those indicted known to be present in their territories or territories under their control, *inter alia*, Radovan Karadzic, Ratko Mladic, Milan Martić, Mile Mrksić, Miroslav Radic and Veselin Sljivancanin, and urges all parties to the Peace Agreement to comply fully with their obligations and to intensify their efforts in this regard;

9. *Welcomes* the cooperation by the Republic of Croatia and the Federation of Bosnia and Herzegovina which has resulted in thirty-four persons indicted by the International Tribunal being brought to justice;

10. *Calls upon* all parties to the Peace Agreement to take immediate steps to determine the identity, whereabouts and fate of missing persons, *inter alia*, near Bugojno, Srebrenica, Zepa, Prijedor, Sanski Most and Vukovar, including through close cooperation with the United Nations, as well as with humanitarian organizations and independent experts, and stresses the importance of coordination in this area;

I. Bosnia and Herzegovina

11. *Welcomes* the free and fair elections held on 12 and 13 September 1998 and the increase in political pluralism and freedom of expression through the participation by all groups and individuals, which represents another step towards democracy in Bosnia and Herzegovina;

12. *Welcomes also* the progress made in some areas of Bosnia and Herzegovina in implementation of the Peace Agreement and improvement in respect for human rights, as demonstrated by the important work of the Office of the Federation Ombudsmen, the detentions and voluntary surrender of persons indicted by the International Tribunal, improvement in the freedom of movement in some areas, the establishment of fourteen "open cities", police restructuring and human rights training in Bosnia and Herzegovina, including in some parts of the Republika Srpska, increased cooperation with the International Police Task Force, and efforts towards and progress in support of free and independent media;

13. *Expresses its serious concern* about continuing human rights violations within Bosnia and Herzegovina and delays in the full implementation of the human rights provisions of the Peace Agreement, notably in bringing legislation into compliance with the human rights provisions of the country's national Constitution, and in implementing this legislation;

14. *Urges* the authorities of Bosnia and Herzegovina, in particular those in the Republika Srpska, to ensure full and free access to their territories to all institutions and organizations concerned with the implementation of the present resolution, including non-governmental organizations, and to provide for the protection of the above-mentioned organizations, especially those providing humanitarian assistance;

15. *Calls upon* the Commission on Human Rights for Bosnia and Herzegovina (the "Commission") to intensify its activities concerning alleged or apparent discrimination or violations of human rights of any kind;

16. *Calls upon* all authorities in Bosnia and Herzegovina to cooperate fully with the Commission, and specifically calls upon the Republika Srpska to increase its cooperation with the Commission;

17. *Condemns in the strongest terms* the complicity by local governments in the perpetration of violence against minority refugees and internally displaced persons returning to their homes and the destruction of their homes, including acts of intimidation and all those acts designed to discourage the voluntary return of refugees and internally displaced persons, and calls for the immediate arrest and bringing to justice of those responsible for such actions;

18. *Urges* all parties in Bosnia and Herzegovina immediately to create conditions conducive to the voluntary return, in safety and dignity, of refugees and internally displaced persons to their homes, with equal emphasis on minority returns, to pass quickly in Bosnia and Herzegovina the necessary legislation on property rights, to pursue the full and speedy implementation of new property and housing legislation enacted in the Republika Srpska in April 1998, to cooperate with and support the work of the Commission for Real Property Claims of Displaced Persons to resolve outstanding property claims, and to end practices of discrimination based on ethnic or political grounds;

19. *Calls upon* the authorities of both entities to cooperate closely with the Office of the United Nations High Commissioner for Refugees in refugee-return matters and to ensure that local authorities and groups comply with the obligations of the Peace Agreement;

20. *Calls* for the establishment without delay in the Republika Srpska of institutions for the protection of human rights, in particular a human rights ombudsman;

21. *Reiterates its call* to bring to justice the perpetrators of rape, notably where it was used as a weapon of war, and for adequate assistance and protection for victims of rape and the witnesses thereto;

II. Republic of Croatia

22. *Welcomes* the successful conclusion of both the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and the United Nations Police Support Group, both of which played an important role in the restoration of peace and stability in Eastern Slavonia, applauds the smooth and seamless transfer of monitoring responsibilities from the United Nations to the Organization for Security and Cooperation in Europe on 16 October 1998, welcomes the cooperation of the Republic of Croatia in bringing these missions to a conclusion, and looks to the Organization for Security and Cooperation in Europe and the Government of the Republic of Croatia to build on the admirable work carried out by the United Nations in Eastern Slavonia;

23. *Welcomes also* the Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons, established on 26 June 1998 in the Republic of

Croatia,⁸ as well as subsequent steps taken, and calls for their full, non-discriminatory and early implementation;

24. *Urges* the Republic of Croatia to implement fully its Programme for the Re-establishment of Confidence, Acceleration of Return and Normalization of Living Conditions in the War-affected Areas of the Republic of Croatia and its refugee return programme in cooperation with the Office of the United Nations High Commissioner for Refugees, and demands that the Republic of Croatia take immediate steps to facilitate the early voluntary return, in safety and dignity, of all refugees and displaced persons, including minorities, to their homes in all regions, to use all available means to assure their safety and human rights, to resolve property rights issues within the framework of the rule of law and in conformity with international standards, to make a sustained effort to provide equal access to assistance in social and housing reconstruction, regardless of ethnicity, to continue to allow access to this population by humanitarian organizations and to maintain its cooperation with the civilian police monitors mandated by the Organization for Security and Cooperation in Europe in Croatia;

25. *Calls upon* the Government of the Republic of Croatia to undertake greater efforts to adhere to democratic principles and to continue its efforts to attain the highest level of compliance with international norms and standards of human rights and fundamental freedoms, especially in regard to strengthening the independence of its judiciary, to freedom of association and assembly, and to the promotion and protection of free and independent media, in particular by providing for full freedom of expression in and access to all forms of media, including by the complete range of political parties;

26. *Takes note* of the request of the Government of the Republic of Croatia for technical cooperation and assistance programmes and of the positive response thereto by the United Nations High Commissioner for Human Rights, and looks forward to the effects of these programmes on the situation of human rights and the rule of law;

27. *Strongly urges* the impartial application of the law by the Republic of Croatia and the swift and complete implementation of judicial decisions for all citizens, irrespective of ethnicity, religion or political affiliation;

28. *Reminds* the Government of the Republic of Croatia of its primary responsibility to restore the multi-ethnic character of Croatia, including the pledge to guarantee the representation of national minorities, including Serbs, at various levels of local, regional and national government;

29. *Notes* that police performance has improved markedly since the beginning of the mandate of the Civilian Police Support Group and that the Government has taken steps to ensure that this continues;

30. *Calls upon* Croatian authorities to prevent harassment, looting and physical attacks against displaced Serbs and other minorities, and in particular to end all involvement by Croatian military and police officials in such incidents, and speedily to arrest those committing or instigating acts of violence and intimidation aimed at preventing the return of Croatian Serbs or others to their homes, and calls upon the Government of the Republic of Croatia to ensure the non-discriminatory application of the amnesty law and to strengthen measures to end all forms of discrimination by Croatian authorities in the areas of property rights, employment, education, pensions and health care, among others;

⁸ S/1998/589, annex.

III. Federal Republic of Yugoslavia (Serbia and Montenegro)

31. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to end any torture and other cruel, inhuman or degrading treatment or punishment of persons in detention, as described in the reports of the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro),⁹ and to bring those responsible to justice;

32. *Strongly urges* the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to institutionalize democratic norms, especially in regard to respect for the principle of free and fair elections, the rule of law, the administration of justice, the promotion and protection of free and independent media, and full respect for human rights and fundamental freedoms, and calls upon the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) specifically to repeal repressive laws on universities and the media;

33. *Demands* that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease all harassment and hindrance of journalists, whatever their ethnicity or national origin and wherever within the Federal Republic of Yugoslavia (Serbia and Montenegro) they may be practising their professions, repeal repressive laws on universities and the media, which suppress any and all internal dissent or expression of independent views, and concomitantly respect the right of free speech;

34. *Urges* all parties, groups and individuals in the Federal Republic of Yugoslavia (Serbia and Montenegro) to act with full respect for human rights, to refrain from all acts of violence and to act with respect for the rights and dignity of all persons belonging to minority groups;

35. *Strongly urges* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately to bring to justice any persons, in particular those of its personnel, who have engaged in or authorized human rights abuses against the civilian population, including summary executions, indiscriminate attacks on civilians, indiscriminate destruction of property, mass forced displacement of civilians, the taking of civilian hostages, torture and other cruel, inhuman or degrading treatment or punishment and, in this context, reminds the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) of its obligations to cooperate fully with the International Tribunal for the Former Yugoslavia and the United Nations High Commissioner for Human Rights;

36. *Calls upon* the Federal Republic of Yugoslavia (Serbia and Montenegro) to revoke all discriminatory legislation and to apply all other legislation without discrimination against any ethnic, national, religious or linguistic group, to ensure the speedy and consistent investigation of acts of discrimination and violence against refugees and internally displaced persons, and to ensure the arrest and punishment of those responsible for acts of discrimination and violence;

37. *Also calls upon* the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to respect the rights of all persons belonging to minority groups, especially in the Sandjak and Vojvodina, and of persons belonging to the Bulgarian minority, and supports the unconditional return of the long-term missions of the Organization for Security and Cooperation in Europe, as called for by the Security Council in its resolutions 855 (1993) of 9 August 1993 and 1160 (1998) of 31 March 1998;

⁹ A/53/522 and Add. 1.

38. *Further calls upon* the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to respect the democratic process and to act immediately to enable the establishment of genuine democratic self-governance in Kosovo, through a negotiated political settlement with representatives of the ethnic Albanian community, to cease all restrictions on freedom of expression or assembly, to ensure that all the residents of the region are guaranteed equal treatment and protection regardless of ethnic affiliation, and calls upon all individuals or groups in Kosovo to resolve the crisis there through peaceful means;

39. *Demands* that the Federal Republic of Yugoslavia (Serbia and Montenegro) take immediate steps to allow for and to create conditions for the return of internally displaced persons and refugees in safety and dignity;

40. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate fully with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations to alleviate the suffering of refugees and internally displaced persons and to assist in their unimpeded return to their homes;

41. *Takes note* of the reports of the Special Rapporteur,⁹ in which concern is expressed on the continuing grave human rights situation in Kosovo, as well as the reports of the Secretary-General on the situation of human rights in Kosovo;¹⁰

42. *Welcomes* the establishment of a sub-office of the United Nations High Commissioner for Human Rights in Pristina in the context of the ongoing field operations in the former Yugoslavia;

43. *Calls upon* States to consider additional voluntary contributions to meet the pressing human rights and humanitarian needs in the area, and underlines the need for continued coordination among States, international organizations and non-governmental organizations of initiatives and programmes with the aim of avoiding duplication, overlap and working at cross-purposes;

44. *Decides* to continue its examination of this question at its fifty-fourth session under the item entitled "Human rights questions".

¹⁰ A/53/563.